

Remarks

Applicant respectfully traverses the restriction requirement as to claim 27. It is not believed that the examination of this method claim written in independent form, creates any significant any additional work for the Patent Office in examining the application. Both the method claim and the shock tube initiator apparatus claim, specifically have a limitation related to the use of a shot shell primer. The initiator claims do not positively recite a shot shell primer as noted by the Examiner, rather, it inferentially refers to coupling means adapted to house a shot shell primer containing an explosive charge. It is believed whether the shot shell primer is positively recited or inferentially recited should not effect the restriction requirement. It is not practical to have a shock tube initiator claim which positively recites the shot shell primer as part of the claim. When the shock tube initiators are sold, they are not sold with a shot shell primer installed, just as hand guns are not sold in the loaded condition. If one were required to positively claim the shot shell primer as part of the initiator, a seller of a shock tube initiator without the primer installed, would not be a direct infringer and would only have liability if the patent owner could prove inducement of contributory infringement.

Again, it is respectfully submitted that the fact that the shot shell primer is not positively recited as an element of the shock tube initiator claims, should not require a restriction between these article claims and the corresponding method claims which positively recite the use of a shot shell primer.

Prompt and favorable consideration of this application is requested. If the Examiner notes any minor errors or has any questions regarding this restriction requirement or

the above-amendment, the Examiner is invited to telephone the undersigned so that the matter can be promptly handled by Examiner's amendment.

Respectfully submitted,
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